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| EXAMINER |
|---|
| PONIKIEWSKI, TOMASZ |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _2/12/08_.

2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1-15_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-15_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All　b)☐ Some *　c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

### Continued Examination Under 37 CFR 1.114

1.      A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection.  Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114.  Applicant's submission filed on

2/04/2008 has been entered.

## Remarks

2.      The Amendment filed on 2/02/2008 has been received and entered.  Claims 16-

45 have been cancelled.  Therefore claims 1-15 are now pending.

### Claim Objections

3.      Claim 1 is objected to because of the following informalities:

        The examiner believes that in the amended claim 1 in the second limitation last

line there is a mistake.  As per specification page 4, paragraph 0007 last sentence

directs to records emanating "from the same source" wherein the claim limitation states

that the records emanate "from the given person". Appropriate correction is required.

### Claim Rejections - 35 USC § 103

4.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.      Claims 1-5, 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable

over de l'Etraz et al. (US 6,073,138) in view of Ewing (US 2002/0095298 A1).


        As per claim 1 de l'Etraz et al. is directed to accessing data records in a private

data set having restricted access, the records in the private data set being accessible

only by authorized users (column 5, lines 61-62), the method comprising the steps of:

        separating a data record having a defined set of data about a given person into a

public data record stored in a public data set and a private data record stored in a

private data set, said public data record having a first, public subset of the set of data

about the given person, and the private data record having a second, private subset of

the set of data about the given person (figure 1a, elements 102a and 104a)

        creating a logical link (column 10, lines 47-65, wherein both databases are

relational databases which are organized into relational tables and as such are logically

linked, by use of ownerID)

        receiving a request from a user to perform a predefined operation using

information from the private data record, the request comprising information from the

public data record and said logical link, the user not having read access the private data

set (column 5, lines 52-56);

in response to said request, finding the private data record using the information

from the public data record received from the user in combination with the logical link

(column 5, 55-63);

and performing the predefined operation using the private data record (column 5,

lines 55-59).

de l'Etraz et al. does not teach to provide access to the private data record from

the public data record, said access enabling use of said private data record without

providing read access to the private record, including the step of putting into the public

data record and the private data record an indicator to indicate that both the private data

record and the public data record emanated from the given person.

Ewing teaches to provide access to the private data record from the public data

record, said access enabling use of said private data record without providing read

access to the private record (Ewing, paragraph 0037), including the step of putting into

the public data record and the private data record an indicator to indicate that both the

private data record and the public data record emanated from the given person (Ewing,

paragraph 0047)

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the de l'Etraz et al. by teachings of Ewing to include to

provide access to the private data record from the public data record, said access

enabling use of said private data record without providing read access to the private

record ), including the step of putting into the public data record and the private data

record an indicator to indicate that both the private data record and the public data

record emanated from the given person because it maintains the confidentiality and

protection of private information (Ewing; paragraph 0052).

 de l'Etraz et al. does not teach storing the logical link in the public data record.

 Ewing teaches storing the logical link in the public data record (Ewing, paragraph

0037, wherein the link is executed when the user executes the search).

 It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the de l'Etraz et al. by teachings of Ewing to storing the

logical link in the public data record because the link provides fast and efficient means

to request the information.


 As per claim 2 de l'Etraz et al. as modified is directed to the logical link comprises

a key value stored in the public data record and the private data record, said key value

is said indicator, and comprising the further step of providing the user with said key

value, and wherein the step of receiving a request from the user includes the step of

said user using said value to access the public data record (de l'Etraz et al., column 10,

lines 47-65, wherein key value is the ownerID) de l'Etraz et al., column 11, lines 1-4).


 As per claim 3 de l'Etraz et al. as modified is directed to the information from the

public data record received from the user comprises a key value stored in the private

data record (de l'Etraz et al., column 11, lines 3-4, wherein key value is stored in a field

denoted by "*").

As per claim 4 <u>de l'Etraz et al.</u> as modified is directed to the predefined operation comprises analysis of data in a plurality of private data records (<u>de l'Etraz et al.</u>, column 5, lines 55-63).

As per claim 5 <u>de l'Etraz et al.</u> as modified is directed to the further step of forwarding the results of the analysis to the user (<u>de l'Etraz et al.</u>, column 5, lines 55-63).

As per claim 10 <u>de l'Etraz et al.</u> as modified is directed to the performing the predefined operation step is performed only when a required condition is satisfied (<u>de l'Etraz et al.</u>, column 8, lines 44-67).

As per claim 11 <u>de l'Etraz et al.</u> as modified is directed to the required condition is based upon information in the private record (<u>de l'Etraz et al.</u>, column 8, lines 50-55).

As per claim 12 <u>de l'Etraz et al.</u> as modified is directed to the private data record comprises data regarding any one of a link ID, a key, a consumer or an enterprise (<u>de l'Etraz et al.</u>, column 11, lines 1-4).

As per claim 13 <u>de l'Etraz et al.</u> as modified is directed to the public data record comprises data regarding any one of a link ID, a key, a consumer or a product (<u>de l'Etraz et al.</u>, column 11, lines 1-4).

As per claim 14 <u>de l'Etraz et al.</u> as modified is directed to the performing the predefined operation step comprises the further step of retrieving data from any one of the private data record or the public data record (<u>de l'Etraz et al.</u>, column 17, lines 2-13).

As per claim 15 <u>de l'Etraz et al.</u> as modified is directed to forwarding the retrieved data to the user (<u>de l'Etraz et al.</u>, column 7, lines 28-31, wherein the data is in the form of web page).

6.      Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>de l'Etraz et al.</u> (US 6, 073,138) in view of <u>Ewing</u> (US 2003/0095298 A1) and further in view of <u>Scroggie et al.</u> (US 6,014,634).

As per claim 6 <u>de l'Etraz et al.</u> as modified still does not teach performing the predefined operation comprises the further steps of:

using information from the private data record as a network address;

<u>Scroggie et al.</u> teaches performing the predefined operation comprises the further steps of:

using information from the private data record as a network address (<u>Scroggie et al.</u>, column 12, lines 50-53);

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine <u>de l'Etraz et al.</u> as modified by teachings of <u>Scroggie et</u>

al. to include using information from the private data record as a network address

because it would allow contact or update between entities (Scroggie et al., column 4,

lines 20-30).

de l'Etraz et al. as modified does not teach transmitting a message to the network

address.

Scroggie et al. teaches and transmitting a message to the network address

(Scroggie et al., column 12, lines 57-58).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine de l'Etraz et al. as modified by teachings of Scroggie et

al. to include transmitting a message to the network address because it would make

contact or update between entities easier and faster (Scroggie et al., column 4, lines 20-

30).


As per claim 7 de l'Etraz et al. as modified still does not teach the message

comprises email.

Scroggie et al. teaches the message comprises email (Scroggie et al., column

12, 57-58)

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine de l'Etraz et al. as modified by teachings of Scroggie et

al. to include the message comprises email because e-mail permits contact between

entities in an easy and comfortable way (Scroggie et al., column 4, lines 20-30).

As per claim 8 de l'Etraz et al. as modified still does not teach the message comprises message information from any one of the private data record or the public data record.

Scroggie et al. teaches the message comprises message information from any one of the private data record or the public data record (Scroggie et al., column 12, lines 40-47).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine de l'Etraz et al. as modified by teachings of Scroggie et al. to include the message comprises message information from any one of the private data record or the public data record because information in the records determine what the message will contain (Scroggie et al., column 2, lines 65-67; column 3, lines 1-9).

As per claim 9 de l'Etraz et al. as modified still does not teach the message comprises marketing material.

Scroggie et al. teaches the message comprises marketing material (Scroggie et al., column 12, 59-64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine de l'Etraz et al. as modified by teachings of Scroggie et al. to include the message comprises marketing material because it makes sense to use the invention in a business environment (Scroggie et al., column 2, lines 65-67; column 3, lines 1-9).

### *Response to Arguments*

7.     Applicant's arguments filed 2/4/2008 have been fully considered but they are not

persuasive.

        As per applicant's argument that de l'Etraz et al. in combination with Ewing does

not teach that the private and public records come from a common source is not found

persuasive.  The Ewing reference teaches in paragraph 0047 that information about

members is pre-registered. The information contains both public information such as

email address used in this example and private information which includes name and

mailing address.  The person wishing to buy a gift only has access to public information

in the form of email address.  The email address is the indication to the private

information for use in mailing the gift without actually showing the private information. In

addition de l'Etraz teaches primary keys attached to tables in relational database. The

primary keys could be interpreted as the indicator that the records come from the same

source.


### *Conclusion*

3.     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tomasz Ponikiewski whose telephone number is (571)

272-1721.  The examiner can normally be reached on 9:00-5:30.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Christian Chace can be reached on (571)272-4190.  The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.  Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


/T.P./
March 20, 2008

/N. A./

Primary Examiner, Art Unit 2165

3/20/08


/Christian P. Chace/

Supervisory Patent Examiner, Art Unit 2169